

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

JACQUELYN BAIRD THIELEN,
Plaintiff

vs.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL SECURITY
Defendant

Case No.: 2:21-CV-01126 – TLF

**ORDER TO AMEND REMAND
ORDER**

ORDER

Based upon Plaintiff's Motion to Amend the Remand Order which notes that this case only involved an appeal of the denial of Social Security Disability Benefits prior to Plaintiff's 55th birthday, it is appropriate to clarify the Remand Order to specify that the Remand Order only pertains to the period prior to Plaintiff's 55th birthday. The Court has no authority to rule on the award of benefits as of Plaintiff's 55 birthday. Brown v. Kijakazi, 11 F.4th 1008, 1010 (9th Cir. 2021). The Conclusion of the Order Reversing and Remanding Defendant's Decision to Deny Benefits, Dkt. #21, is hereby amended to read as follows:

CONCLUSION

Based on the foregoing discussion, the Court finds the ALJ erred when she determined plaintiff to be not disabled prior to her 55th birthday. Defendant's decision to deny benefits prior to her 55th birthday is therefore REVERSED and this matter is REMANDED for further administrative proceedings. The ALJ is directed to reevaluate medical opinion evidence on remand.

1 Dated this 19 day of April, 2022

2 
3 Theresa L. Fricke
4 UNITED STATES MAGISTRATE JUDGE